

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
DANIEL BOONE NATIONAL FOREST**

ORDER NO. DB-01-13

“FOOD STORAGE RESTRICTION”

Under the authority of the Act of Congress dated June 4, 1897, as amended (16 U.S.C. 551) and pursuant to the Secretary of Agriculture’s regulation set forth at 36 CFR 261, Subpart B (36 CFR 261.50 (a) and (b)), the following acts and omissions are prohibited within the National Forest lands of the Daniel Boone National Forest. The area in which these acts are prohibited includes approximately 708,500 acres and is located in 21 eastern Kentucky counties. The area is shown on the attached map.

- 1.** Possessing, storing, or leaving any food (including food for pets and livestock, except baled hay), refuse or bear attractant unattended unless it is:
 - a.** properly stored in a bear-resistant container;
 - b.** stored in a closed, motor vehicle with a solid top;
 - c.** stored in a closed, hard-body trailer; or
 - d.** suspended at least ten feet clear of the ground at all points, suspended at least four feet horizontally from the supporting tree or pole, and suspended at least four feet from any other tree or pole adjacent to the supporting tree or pole.
- 2.** Discarding or abandoning any food, refuse, or bear attractant unless it is disposed of in a bear-resistant trash receptacle or other receptacle which has been provided by the Forest Service.
- 3.** Burning or burying any food, refuse, or bear attractant.

36 C.F.R. Section 261.58 (cc).

The following definitions shall apply to this Closure Order:

Bear attractant: means any substance having an odor that may attract bears, such as food, cooking grease, toothpaste, soap, and garbage.

Bear-resistant container: means a securable container constructed of solid non-pliable material capable of withstanding 200 foot-pounds of energy. When secured and under stress the container will not have any cracks, openings, or hinges that would allow a bear to gain entry by biting or pulling with its claws. Wood containers are not considered bear resistant unless they are reinforced with metal. Most coolers are not considered bear resistant.

Food: means any nourishing substance, solid or liquid, which is not native to the immediate area, including nourishing substances for humans, pets, and livestock. Food does not mean water and baled hay.

Refuse: means any discarded material or solid waste.

Pursuant to 36 C.F.R. 261.50(e), the following persons are exempt from the above prohibitions:

- (a) Persons with a special use permit specifically authorizing the otherwise prohibited act or omission, issued by the District Ranger.
- (b) Any Federal, State, or Local Officer, or member of an organized rescue or firefighting force in the performance of an official duty.

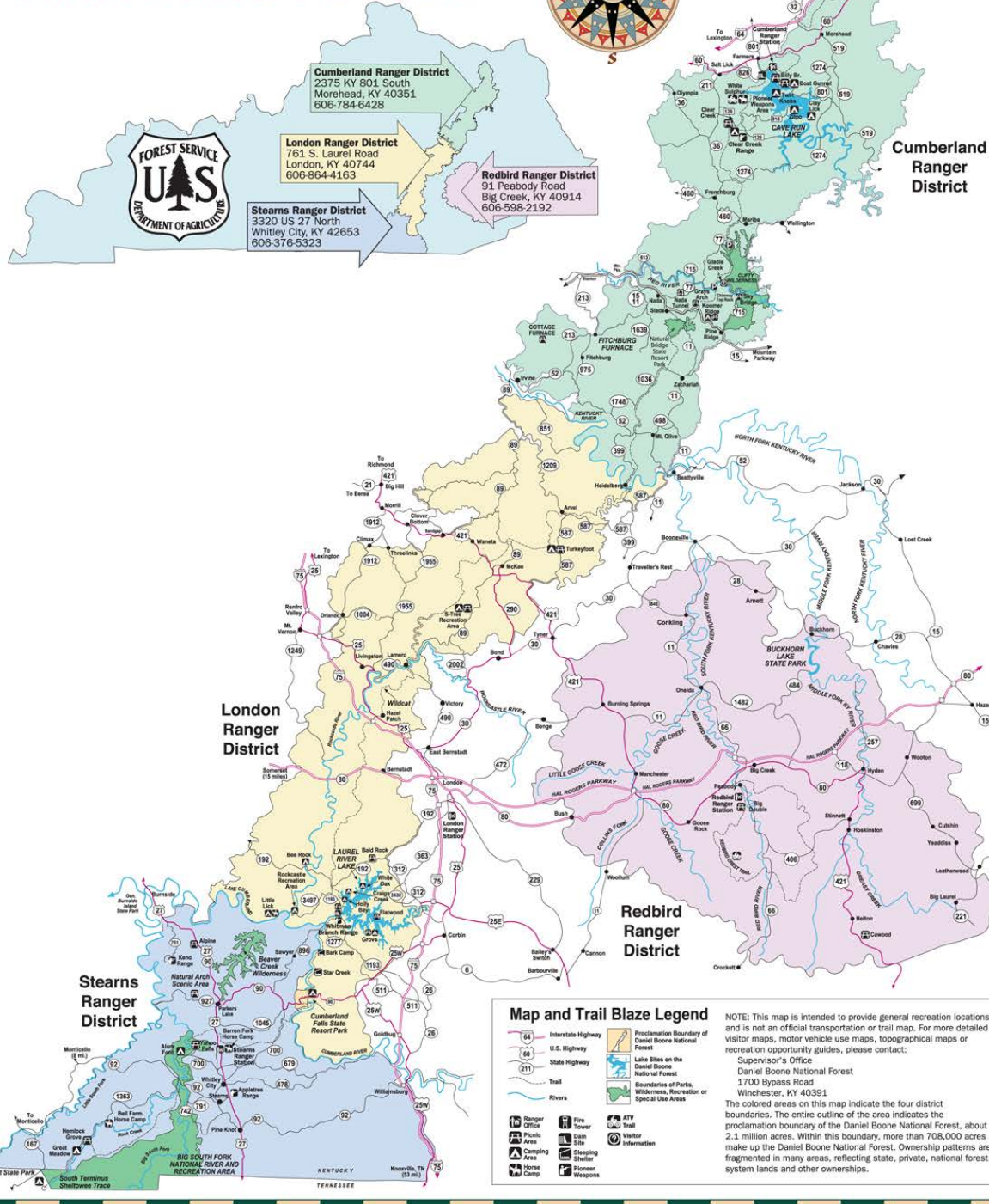
Prepared at Winchester, KY,
this 1st day of May, 2013

/s/ FRANK R. BEUM
Forest Supervisor, DBNF

THIS ORDER REMAINS IN EFFECT FOR A PERIOD OF FIVE YEARS FROM THE DATE OF SIGNATURE OR UNTIL IT IS REPLACED BY ANOTHER ORDER

Violations of the prohibitions set forth above are punishable by a fine of not more than \$5,000 for an individual and \$10,000 for an organization, or imprisonment for not more than six (6) months, or both. 16 U.S.C. Section 551; 18 U.S.C. Sections 3559, 3571.

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